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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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12 GAGAN GAUTAM,) Case No.: C 09-5088 PSG
13 Plaintiff,)
14 v.) **ORDER THAT CASE BE
15 OFFICER J. MARFIA,) REASSIGNED**
16 Defendant.)
17

18 Plaintiff filed the complaint in this action on October 26, 2009. The deadline for service
19 was 120 days from that date, February 23, 2010.¹ Thus, the time for service on Defendant has
20 expired. Defendant has not been served. Additionally, the parties were required to file a case
21 management conference statement on February 23, 2010 and to appear for a case management
22 conference on March 2, 2010.² None of the parties did so. Also, by February 23, 2010, the
23 parties were required either to file written consent to the jurisdiction of the magistrate judge or to
24 request reassignment to a district judge.³ None of the parties did so.

25 On February 8, 2011, Plaintiff was ordered to show cause no later than February 27, 2011
26

27 ¹ See Fed. R. Civ. P. 4(m).

28 ² See 10/26/09 Order Setting Initial Case Mgmt. Conf. and ADR Deadlines (Docket No. 2).

³ See Civ. L.R. 73-1(a)(1).

1 why the case should not be dismissed for failure to prosecute. Plaintiff has not yet responded.

2 Accordingly,

3 IT IS HEREBY ORDERED that this case be reassigned to a district judge with a
4 recommendation for dismissal for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

5 Dated: March 14, 2011

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7 PAUL S. GREWAL
United States Magistrate Judge

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1 **Notice of this filing was automatically mailed to counsel via the court's Electronic Case Filing
2 system.**

3 **A copy of this filing was mailed to:**

4 Gagan Gautum
5 548 Market St.
#10432
5 San Francisco, CA 94104

6 Dated: March 21, 2011

7 */s/ Chambers Staff*
8 Chambers of U.S. Magistrate Judge Paul S. Grewal

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